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25 *Attorneys for Non-Parties Broadcom Inc. and Broadcom Corp.*

17                   **UNITED STATES DISTRICT COURT**  
18                   **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
19                   **SAN JOSE DIVISION**

20                   CALIFORNIA INSTITUTE OF  
21                   TECHNOLOGY,

22                   Plaintiff,

23                   v.

24                   SAMSUNG ELECTRONICS CO., LTD. and  
25                   SAMSUNG ELECTRONICS AMERICA,  
26                   INC.

27                   Defendants.

28                   Case No. 5:22-MC-80318

[Underlying Case Pending in E.D. Tex., Case  
No. 2:21-CV-0446-JRG]  
ORDER GRANTING

**JOINT STIPULATION REGARDING  
BRIEFING SCHEDULE FOR  
PLAINTIFF CALIFORNIA INSTITUTE  
OF TECHNOLOGY'S MOTION TO  
COMPEL SUBPOENA COMPLIANCE  
BY BROADCOM CORP. AND  
BROADCOM INC.**

Date: November 30, 2022

Re: Dkt. No. 13

1           WHEREAS, California Institute of Technology (“Caltech”) is the Plaintiff in Case No.  
2 2:21-cv-0446-JRG in the Eastern District of Texas (“E.D. Texas Litigation”).

3           WHEREAS, Caltech served a subpoena on non-parties Broadcom Inc. and Broadcom  
4 Corp. (collectively, “Broadcom”) on or about April 13, 2022 for the production of documents in  
5 the E.D. Texas Litigation.

6           WHEREAS, Broadcom objected to the production of documents in response to that  
7 subpoena.

8           WHEREAS, Broadcom and Caltech met and conferred over a number of months—via  
9 telephonic conferences on June 8 and August 8, 2022 and via e-mail correspondence through  
10 October 2022.

11          WHEREAS, Caltech filed a Motion to Compel Subpoena Compliance (“Motion to  
12 Compel”) on November 21, 2022 in this Court. In its Motion to Compel, Caltech requested a  
13 hearing on December 27, 2022 at 10:00 AM PT.

14          WHEREAS, the parties have not previously stipulated to any time modifications in this  
15 matter.

16          WHEREAS, counsel for Broadcom informed Caltech that members of its team would be  
17 unavailable during the period set forth under the local rules for briefing related to its Motion to  
18 Compel due to pre-trial and trial commitments, and both Broadcom and Caltech agreed that the  
19 stipulated briefing schedule was appropriate given the recent and upcoming holidays.

20          WHEREAS, the agreed upon stipulated briefing schedule would have no effect on any  
21 other case deadlines as there are no other case deadlines in this matter.

22          WHEREAS, pursuant to Local Rules 6-2 and 7-12, the parties have conferred regarding a  
23 mutually agreeable schedule for briefing and a hearing related to Caltech’s Motion to Compel and  
24 accordingly agreed to the schedule set forth below.

25          IT IS HEREBY STIPULATED AND AGREED, by and between the parties, through  
26 their undersigned counsel, that the schedule for briefing in this matter and the schedule for any  
27 hearing shall be as followed:



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*Attorneys for Plaintiff California Institute of Technology*

## ATTESTATION

I, Taylor Gooch, attest that all other signatures listed, and on whose behalf the filing is submitted, concur in the filing's contents and have authorized the filing.

/s/ Taylor Gooch  
Taylor Gooch

## CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 30<sup>th</sup> day of November, 2022, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Taylor Gooch  
Taylor Gooch

## ~~{PROPOSED}~~ ORDER

Pursuant to the terms of the stipulation between the parties, it is so ordered and adjudged:

- Broadcom's response to the Motion to Compel shall be due on December 19, 2022;
- Caltech's reply to Broadcom's response shall be due on December 29, 2022; The
- Any hearing on the Motion to Compel shall be on January 10, 2023 at 10:00 AM, or at the Court's convenience on the first available date after January 10, 2023.

IT IS SO ORDERED.

Dated: December 1, 2022

By: Virginia K. DeMarchi  
Virginia K. DeMarchi  
United States Magistrate Judge